

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
NORTHERN DIVISION**

KATHRYN GIFFIN,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 2:20-CV-69 PLC
)	
KILOLO KIJAKAZI,)	
Acting Commissioner of Social Security,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

This matter is before the Court on Plaintiff Kathryn Giffin’s application for attorney fees pursuant to the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412. [ECF No. 32] Plaintiff requests an award of \$6,116.75, representing 28.45 of attorney work at an hourly rate of \$215.00. Plaintiff attaches an “Affidavit of Counsel” and a “Fee Agreement” in which he assigned any court-awarded fee to his attorneys, The Law Firm of Dempsey & Dempsey, P.C. [ECF No. 32]

Defendant filed a response to Plaintiff’s application for attorney fees, in which she states: “Defendant has no objection to Plaintiff’s request for attorney fees under the EAJA in the amount of \$6,116.75.” [ECF No. 33] Defendant requests that the Court “enter an order specifically awarding attorney fees of \$6,116.75 to be paid by the Social Security Administration.” She notes, however, that any award of attorney fees is subject to offset to satisfy any preexisting debt Plaintiff owes to the United States. See Astrue v. Ratliff, 560 U.S. 586 (2010).

After careful consideration,

IT IS HEREBY ORDERED that Plaintiff’s petition for award of attorney fees [ECF No. 32] is **GRANTED**.

IT IS FURTHER ORDERED that Plaintiff is awarded EAJA attorney fees in the amount of \$6,116.75, subject to offset for any preexisting debt that Plaintiff owes to the United States. After determining whether Plaintiff owes any debt to the United States that is subject to offset, Defendant is directed to pay the EAJA fees directly to Plaintiff's attorney.



PATRICIA L. COHEN
UNITED STATES MAGISTRATE JUDGE

Dated this 9th day of February, 2023